

Introduced by Senator Knight
(Coauthors: Senators Berryhill, Fuller, Gaines, Huff, and Nielsen)

June 3, 2013

Senate Concurrent Resolution No. 49—Relative to firearms.

LEGISLATIVE COUNSEL’S DIGEST

SCR 49, as introduced, Knight. Firearms.

This measure would commemorate the 5-year anniversary of the District of Columbia v. Heller decision and the United States Supreme Court’s interpretation of the Second Amendment’s “right to keep and bear arms.”

Fiscal committee: no.

1 WHEREAS, The United States Constitution is the supreme law
2 of the land and the foundation upon which all United States law
3 is built; and
4 WHEREAS, The Second Amendment to the United States
5 Constitution provides that “[a] well regulated Militia, being
6 necessary to the security of a free State, the right of the people to
7 keep and bear Arms, shall not be infringed”; and
8 WHEREAS, On June 26, 2008, the United States Supreme Court
9 issued its historic decision in District of Columbia v. Heller to
10 recognize that the Second Amendment serves to protect an
11 individual’s right to keep and bear arms, unconnected to militia
12 service; and
13 WHEREAS, For centuries, tyrants have recognized that a
14 disarmed population is readily dominated. Moreover, two out of
15 three Americans recognize that their constitutional right to own a
16 gun was intended to ensure their freedom. To that end, the Heller

1 decision recognized that the right to keep and bear arms was
2 codified to, among other things, “safeguard against tyranny”; and
3 WHEREAS, Private, individual ownership and use of firearms
4 has existed in every American state throughout the nation’s history
5 and continues to this day as a cherished and fundamental aspect
6 of American culture; and

7 WHEREAS, State lawmakers have a profound interest in this
8 case as guardians of their constituents’ health, welfare, and
9 constitutional rights; and

10 WHEREAS, June 26, 2013, will mark the fifth anniversary of
11 the District of Columbia v. Heller decision; now, therefore, be it

12 *Resolved by the Senate of the State of California, the Assembly*
13 *thereof concurring*, That the Legislature commemorate the
14 five-year anniversary of the District of Columbia v. Heller decision
15 and the United States Supreme Court’s true interpretation of the
16 Second Amendment’s “right to keep and bear arms”; and be it
17 further

18 *Resolved*, That the Secretary of the Senate transmit copies of
19 this resolution to the author for appropriate distribution.